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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,980 03/15/2004		Robert Douglas Young	P-108399.01(PCT)(US)(DIV) 1383	
7590 10/22/2004			EXAMINER	
JACKSON WALKER L.L.P.			MARCANTONI. PAUL D	
Suite 2100 112 E. Pecan Street			ART UNIT	PAPER NUMBER
San Antonio, TX 78205			1755	

DATE MAILED: 10/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extrements of their marking her without about the processor of 3° CFR 1-130(s). In no event, however, rhay a reply be laminly fill of their period for reply specified above is less beautifully (30) days, a reply within the statulary meritamen of thirty (30) days, a reply within the statulary meritamen of thirty (30) days, a reply within the statulary meritamen of thirty (30) days, and with period (50) days and will replace (50) (50 of KI) HS from the maining date of this communication. Fallur to reply within the set or retended period for reply with by statute, cause the application to become a fall with the maining date of the communication to the statute of the communication of the		Application No.	Applicant(s)					
Paul Marcantoni 1755		10/800,980	YOUNG, ROBERT DOUGLAS					
The MALLING DATE of this communication appears on the cover sheet with the correspondence address — Period for Repty A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MALLING DATE OF THIS COMMUNICATION. Lestension from anys a calabia meth ** provisions of 3°CTR 1.13(a)** in no event, however, may a reply be frincy filed and \$2.00 (b) MONTH from the maling date of the sound of the provisions of 3°CTR 1.13(a)** in no event, however, may a reply be frincy filed and \$2.00 (b) MONTH from the maling date of the sound of the status of the maling date of the contract of the provision of the sound of the status of the provision of the sound of the status of the status of the provision of the sound of the	Office Action Summary	Examiner	Art Unit					
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1) ⊠ Responsive to communication(s) filed on 24 April 2001. 2a	A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any							
2a) This action is FINAL. 2b) This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-5 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are objected to. 8) Claim(s) is/are objected to. 8) Claim(s) is/are objected to by the Examiner. 10) The precification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a accepted or b) objected to by the Examiner. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a accepted or b objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received.	Status							
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3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date. Paper No(s)/Mail Date. 5) Notice of Informal Patent Application (PTO-152)								
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Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention.

The terms "measured quantity", "measured amount", and "weighed proportion" are all indefinite terms that do not particularly point out and distinctly claim applicants' invention.

The term "assaying...to determine magnitude of color change is vague because applicants do not particularly point out how they analyze and do not clearly define what they mean by magnitude of color change.

Claim 1 is also outside the scope of their disclosed invention because it requires a range of amounts of .0001 to 20 wt%. This should be in independent claim 1 (as it is in US Patent No. 6,706,111 B1).

It is expected that should applicants remove indefinite terms and add the required range that this application would be in condition for allowance.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Marcantoni whose telephone number is 571-272-1373.

Paul Marcantoni Primary Examiner Art Unit 1755